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7 *Attorney for Defendants*
8 *Richard T. Warner, Jr. and Western Express Inc.*

9 **UNITED STATES DISTRICT COURT**
10 **DISTRICT OF NEVADA**

11 TRACY NICHOLE TEOFRIOS,

CASE NO.: 2:15-cv-01747-JAD-GWF

12 Plaintiff,

13 vs.

14 RICHARD T. WARNER, JR.; WESTERN
15 EXPRESS, INC., NAVISTAR LEASING
16 SERVICES CORPORATION; DOES I through
XX, inclusive and ROE BUSINESS ENTITIES I
through XX, inclusive,

17 Defendants.

18 **STIPULATION TO EXTEND BRIEFING**
19 (Fifth Request)

20 Pursuant to Local Rules (“LR”) IA 6-1, Defendants, Richard T. Warner, Jr. (“Warner”)
21 and Western Express, Inc. (“Western Express”), and Plaintiff, Tracy Nichole Teofrio (“Teofrio”),
22 by and through their respective attorneys, stipulate as follows:

23 1. On April 13, 2018, Warner and Western Express filed their motion for summary
24 judgment [ECF No. 54]. On May 4, 2018, Teofrio filed her response [ECF No. 58] and, on May
25 11, 2018, she filed a supplement to her response [ECF No. 62].

26 2. On May 7, 2018, Warner and Western Express filed their motion to preclude the
27 opinions and testimony of Plaintiff’s expert, Paul Herbert [ECF No. 60].

1 3. On May 11, 2018, Warner and Western Express filed their motion to preclude the
2 opinions and testimony of Plaintiff's expert, James Loong [ECF No. 61].

3 4. The parties previously requested and obtained an extension to file a reply to the
4 motion for summary judgment [ECF No. 54] and responses to the motions regarding experts Paul
5 Herbert [ECF No. 60] and James Loong [ECF No. 61]. *See* ECF Nos. 67, 72, 76, 80.

6 5. The parties have agreed to and request this fifth extension, because they have
7 agreed to attend private mediation and have a tentative mediation date of August 10, 2018,
8 although they are still working to confirm this date with the mediator, all parties, and all counsel.
9 Now that the parties have a tentative mediation date, they have agreed on a briefing schedule for
10 these three pending motions that balances the parties' and this court's need for completion of the
11 briefing with the parties' desire to conserve litigation costs before mediation.

12 6. This requested extension is reasonably made for the purpose of allowing the
13 parties focus their efforts on mediation; it is not made for the purpose of unduly delaying
14 resolution of these motions and will not result in any undue delay to the resolution of this case.

15 7. Therefore, the parties stipulate and agree that deadline for Warner and Western
16 Express to file and serve their reply to their motion for summary judgment [ECF No. 54] will be
17 extended to **August 20, 2018**.

18 8. The parties further stipulate and agree that deadline to file a response to Warner
19 and Western Express' motion to preclude the opinions and testimony of Plaintiff's expert, Paul
20 Herbert [ECF No. 60] will be extended to **July 31, 2018**.

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1 9. The parties further stipulate and agree that the deadline to file a response to
2 Warner and Western Express' motion to preclude the opinions and testimony of Plaintiff's
3 expert, James Loong [ECF No. 61] will be extended to **August 20, 2018.**

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5 DATED: July 6, 2018.

6 HALL JAFFE & CLAYTON, LLP

7 By: /s/ Ashlie Surur

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Richard T. Warner, Jr. and Western Express
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IT IS SO ORDERED

ORDER

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UNITED STATES DISTRICT JUDGE

Dated: July 10, 2018.